Bwb

Date August 17, 1971
Purchase Order No.

Lehrer Sanitary Service
1604 Crooks Ave.
KAUKAUNA, WIS. 54130
Phone 766-2758

RECEIVED DNR
AUG 20 1971
Lake Mich. Dist.

Mr. Tom Frangoes
Division of Environmental Protection
Department of Natural Resources
812 South Fisk Street
Green Bay, Wisconsin 54303

Dear Mr. Frangoes:

I operate the Sanitary Landfill site at Kaukauna, Wisconsin and sincerely feel that I am doing the job to the satisfaction of the D.N.R.

I want to state that the only burning done in my landfill site consists of diseased Dutch Elm trees and this occurs once a month or less. This has been done in a ravine surrounded by woods on three sides and only open on one side. The nearest residence is approximately 3/4 of a mile away. This site is not visible from any highway and/or road, or residence -- and as stated above, is about 3/4 mile from nearest life. Then too, we only burn when conditions are right, i.e. wind and weather. The local Fire Department is always notified in every instance. I thought this was the right procedure to follow. In no way can I see that my actions cause a nuisance to any one.

Now here is my problem --- Back in 1969 I had been ordered to cease all burning whatsoever. However, as stated above, there has been a very limited burning of diseased Dutch Elm trees.

On August 17, 1971, I was informed by your Department that this 1969 order is still in effect and that I must abide by it --- which means no burning whatsoever. Three of your gentlemen were here and viewed the site and violation. Their personal opinion was that this was in accordance with D.N.R. BUT in violation of the 1969 order. So now I am asking that this order be lifted and we can go in under the regular D.N.R. ruling. I am sure that when this order was imposed, it was meant at the time to stop burning and to start landfilling -- which we have done.

I am sure that if this order stays in force it will impose a hardship on me and my customers. Further, I feel I am not unreasonable in my demand for I am not asking any more than what others have. In checking, I believe that the Forestry Department states that all diseased Dutch Elm trees must be burned to help combat the disease.

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Again -- All I ask is for the right to destroy diseased Dutch Elm wood by burning once a month or less, when all conditions are right.

Thanking you and hoping you give this matter your kind consideration.

Very truly yours,

LEHRER SANITARY SERVICE

James M. Lehrer